

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of )  
)  
1998 Biennial Regulatory Review -- ) WT Docket No. 98-182  
47 C.F.R. Part 90 - Private Land Mobile ) RM-9222  
Radio Services )  
)  
Replacement of Part 90 by Part 88 to Revise ) PR Docket No. 92-235  
the Private Land Mobile Radio Services and )  
Modify the Policies Governing Them )  
and )  
Examination of the Exclusivity and Frequency )  
Assignment Policies of the Private Land )  
Mobile Services )

PETITION FOR RECONSIDERATION

Filed by: William C. Easterday  
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Date: November 13, 2000

I. BACKGROUND OF THE COMMENTER.

I, William Easterday, hold both FCC issued General Mobile Radiotelephone Operator license PG-19-9931 and an Amateur Radio license (Amateur Extra class) KB8FU. I formerly worked in the communications industry from approximately 1985 through 1988 as an outside business radio salesperson and two-way radio technician for Radio Communications Center, North Ridgeville, Ohio. I am also a former General Mobile Radio Service licensee.

I am currently employed by Nelson Stud Welding in Elyria, Ohio as a Senior Design Engineer in the Product Development Department. My current employer is licensed as WPDT497 for operation on two of the frequencies reallocated to the Multi Use Radio Service (MURS) MURS, 154.570 MHz and 154.600 MHz. This current license authorizes operation with a deviation of +/- 5 KHz and an emission designator of 20K0F3E.

II. THE CHANGES IN PART 90.35 INVALIDATE OUR LICENSE.

Effective November 13, 2000, the frequencies for which my employer is licensed are no longer authorized for use in the Business Radio Service. Our continuing use of these frequencies is now authorized only by rule (Part 95, Subpart J). However, our radios, which operate under an emission designator of 20K0F3E and employ +/- 5 KHz deviation, do not meet the technical operating parameters for the new MURS service.

When the Federal Communications Commission proposed to reallocate these frequencies to a radio service for which operators would not need to first obtain an FCC license, the FCC created technical standards that would force existing licensees of these frequencies to abandon use of or to significantly modify their current radios.

Therefore, those whose licensed operations on these frequencies would have to be terminated or significantly modified were never given adequate warning about or an opportunity to submit our comments on these mandatory technical changes. In Lorain County Ohio alone this includes as many as 22 systems currently licensed under Part 90 of the Rules.

### III. I REQUEST SPECIFIC REGULATORY CHANGES.

By this Petition, and as an employee an affected licensee of these frequencies, I request that the FCC reconsider deleting these frequencies from Part 90. An appropriate remedy would instead be to retain these frequencies as being authorized under Part 90 for those parties who were licensed under Part 90 for these frequencies as of the date of effect of these rules (November 13, 2000), and to remain licensed and permitted to operate under those licenses (and under those Part 90 technical specifications) for a period of time or indefinitely subject to license renewal as "grandfathered licensees."

I believe that the period of time to permit these "grandfathered operating privileges" should be at least five years, or through the end of the term of the current license, whichever is the greater.